

Notice of Allowability

Application No.

09/537,965

Applicant(s)

ROGSON, ARIEL S.

Examiner

Art Unit

Doug Hutton

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 4 October 2004.
2. ☒ The allowed claim(s) is/are 1,5-8,10-17,22,23,25-27,33-35 and 37-39.
3. ☒ The drawings filed on 28 March 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Applicant's Response

In Applicant's Response dated 4 October 2004, Applicant amended Claims 1, 5, 6, 8, 10-13, 17, 22, 23 and 25, added new Claims 33-36, cancelled Claims 2-4, 9, 18-21, 24, 29, 31 and 32, and argued against all objections and rejections previously set forth in the Office Action dated 3 May 2004.

In view of Applicant's amendments and arguments and the following Examiner's Amendment, all objections and rejections previously set forth are withdrawn.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ariel S. Rogson on 4 February 2004.

Amend the application as follows:

In the Claims:

- Claim 23, Line 14 → ***delete*** the phrase "in the pair";
- Claim 25, Line 1 → ***amend*** the number "24" to — 23 —;

- **cancel** Claims 28, 30 and 33; and
- **add** the following new Claims 37-39:

37. A computer-readable medium containing a program, the program comprising:

- a spell-checking program executable on a computer;
- means for maintaining a static update list of pairs of first misspelled and known correctly spelled words; and
- means for maintaining a dynamic update list of pairs of second misspelled words and possibly correctly spelled words and a count for each pair of a number of times the second misspelled word has been parsed and the possibly correctly spelled word has been received.

38. A computer-readable medium according to claim 37, the program further comprising means for incrementing the counts of the dynamic update list.

39. A computer-readable medium according to claim 37, the program further comprising means for updating the static update list from the dynamic update list.

Allowable Subject Matter

Claims 1, 5-8, 10-17, 22, 23, 25-27, 33-35 and 37-39 are allowed.

The following is an examiner's statement of reasons for allowance:

Claims 1, 11 and 23:

The prior art fails to disclose or suggest a method for updating a static list of pairs of misspelled and correctly spelled words using a spell checking program, as argued by Applicant in the communication submitted on 4 October 2004.

Claims 5-8, 10, 12-17, 22, 25-27 and 33-35:

These claims are dependent upon Claims 1, 11, 23 and are thus allowable.

Claim 37:

As described in the Specification at Page 5, Lines 5-26, the "means for" updating the static list includes:

- a dynamic update, which tracks the number of times the user misspelled a word in a particular way and has corrected the misspelling to a particular correct spelling, and, once the count reaches a specified number for a particular pair in the dynamic list, said particular pair can be moved from the dynamic list to the static list; and

- a software module that checks the static update list before it is updated, whose alternative functions and methods are specifically described on Page 5, Lines 20-26.

As described in the Specification at Page 4, Line 25 through Page 5, Line 4, the “means for” updating the dynamic list includes:

- the dynamic update, whose additional functions and methods of operation are specifically described on Page 4, Lines 25-32; and
- a software module that allows the user to overrule any correction, that is automatically entered into the document via the static update list, with an alternate correction.

The closest prior art is Walfish and Nielsen.

Walfish discloses the Spellchecker and AutoCorrect tools in Microsoft Word. Thus, Walfish discloses parsing a misspelled word as it is entered into a document, determining that the word is misspelled, receiving from a user a correction for the misspelled word and automatically replacing the misspelled word with the correctly spelled word and adding that particular pair of words – the misspelled word and the correction specified by the user – into the AutoCorrect tool.

Nielsen teaches a spellchecker system that operates on the Internet. The system includes an online dictionary at a central webserver that spellchecks documents at a user's request. A user may also request that a particular term be added to the

dictionary. Upon this request, the system checks a database of terms that have been previously requested by users for addition to the dictionary. The system tracks the number of times such requests have been made for each particular term. If the particular term is in this database, then the count is incremented by one. If the particular term is not in this database, then the term is entered into the database and the count is set at one. The counts for the particular terms are subsequently evaluated by a database administrator, who determines whether to add the terms to the dictionary.

The disclosures/teachings of Walfish and Nielsen neither disclose or suggest a spellchecker system that includes both a static update list and a dynamic update list with a counter, as recited in Claim 37.

Claims 38 and 39:

These claims are dependent upon Claim 37 and are thus allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (571) 272-

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4137. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

WDH

February 4, 2005


HEATHER R. HERNDON
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